

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

PROBATION OFFICE

KENNETH O. YOUNG
Chief Probation Officer

June 19, 2008

FILED

2008 JUN 25 AM 9:56

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SOUTHERN DISTRICT OF CALIFORNIA

BY VLNA DEPUTY

The Honorable Roger T. Benitez
U.S. District Judge
Southern District of California
San Diego, California

Re: BERNAL-Ibarra, Rogelio
Dkt. No. 08CR01323-001-BEN
Request for Continuance

Dear Judge Benitez:

On May 15, 2008, Rogelio BERNAL-Ibarra appeared before Your Honor at which time he pleaded guilty to one count of 8 U.S.C. § 1324(a)(1)(A)(ii) and (v)(II), Aiding and Abetting the Transportation of Illegal Aliens. Sentencing was subsequently set for August 4, 2008.

Since the defendant's conviction, there have been difficulties in coordinating the probation interview, as the defendant is currently incarcerated in San Luis, Arizona, and the U.S. Marshall's Office has limited availability for video conference interviews. Consequently, a presentence interview date has not been set until July 11, 2008, several weeks after the current filing date. Due to this advanced date, it has not been possible to complete a thorough investigation and file the presentence report in accordance with General Order 350.

As such, it is requested that BERNAL's sentencing be continued from August 4, 2008, to September 15, 2008, at 9:00 a.m. Your Honor's courtroom deputy advised that this date would be compatible with the Court's calender. In addition, the AUSA and defense counsel have both been informed of the continuance request. Lastly, a checklist is appended for the Court's response.

Re: BERNAL-Ibarra, Rogelio
Dkt. No: 08CR01323-001-BEN

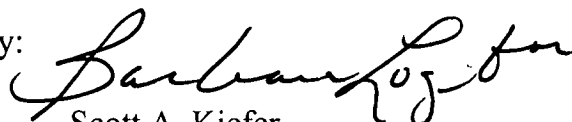
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Should Your Honor have questions or concerns, please contact me at (619) 557-5074.

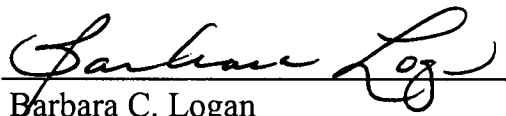
Respectfully submitted,

KENNETH O. YOUNG
CHIEF PROBATION OFFICER

By:


Scott A. Kiefer
U.S. Probation Officer

Reviewed by:


Barbara C. Logan
Supervising U.S. Probation Officer

cc: Caroline P. Han
Shaffy Moeel, Federal Defenders, Inc.
enc.: Order of Continuance (2 copies)

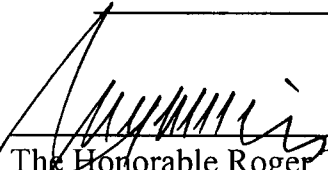
Re: BERNAL-Ibarra, Rogelio
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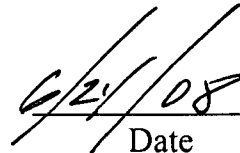
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COURT ACTION DESIRED:

- ☒ 1. Agree, continue the sentencing from August 4, 2008, to September 15, 2008,
at 9:00 a.m.
- ☐ 2. Disagree, sentencing to remain as scheduled. The presentence report is to be
prepared not in accordance with General Order 350.
- ☐ 3. Other.


The Honorable Roger T. Benitez
U.S. District Judge


Date